

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

David Sima,)	
)	
Plaintiff,)	
)	
v.)	Case No. 08 C 317
)	
Board of Education of Township High)	Judge William Hart
School District 214,)	
)	
Defendant.)	

**DEFENDANT’S MOTION TO EXTEND TIME
TO RESPOND TO PLAINTIFF’S COMPLAINT**

Defendant Board of Education of Township High School District 214 (the “School District”) moves pursuant to Fed. R. Civ. P. 6(b)(1)(A) for an extension of time to respond to Plaintiff’s Complaint (“Complaint”). The School District states further:

1. Plaintiff’s Complaint was originally filed in the Circuit Court of Cook County, Illinois. The School District was served with Plaintiff’s Complaint on December 17, 2007.
2. The School District timely removed Plaintiff’s Complaint to this Court on January 14, 2008, on the basis of federal question jurisdiction.
3. Accordingly, pursuant to Fed. R. Civ. P. 81(c)(2)(C), the School District’s response to Plaintiff’s Complaint is currently due to be filed by January 22, 2008.
4. Plaintiff’s Complaint alleges two claims under the Due Process Clause of the United States Constitution and 42 U.S.C. § 1983 (Counts III and IV). In addition, Plaintiff alleges two state law claims: (1) breach of an employment contract (Count I); and (2) common law certiorari review of an administrative action (Count II).

5. The School District's counsel will be engaged in a multi-day hearing in Springfield, Illinois the week of January 21, 2008, and due to other litigation commitments of its counsel, the School District will require an additional fourteen (14) days to prepare its response to Plaintiff's Complaint, up to and including February 5, 2008.

6. The School District's motion would not impose any undue delay and poses no prejudice to the Plaintiff. On the day of filing this motion, January 17, 2008, the School District's counsel spoke to Plaintiff's counsel. Plaintiff's counsel had no objection to the School District's motion.

WHEREFORE, The School District Defendant respectfully requests an extension of time of fourteen (14) days, to and including February 5, 2008, to respond to Plaintiff's Complaint.

Respectfully submitted,

BOARD OF EDUCATION OF
TOWNSHIP HIGH SCHOOL DISTRICT
214

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CERTIFICATE OF SERVICE

The undersigned certifies that on January 17, 2008, he caused the foregoing
**DEFENDANT'S MOTION TO EXTEND TIME TO RESPOND TO
PLAINTIFF'S COMPLAINT** to be filed using the CM/EFC system which will send
notification of same to the following counsel of record:

Jerome F. Marconi, Esq.
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s/Donald Y. Yu - 06287737
Donald. Y. Yu